

### **REMARKS/ARGUMENTS**

The following remarks are submitted in response to the Non-Final Office Action mailed April 21, 2008. Claims 1-8, 10-12, 14-19, 21-31, 33 and 34 remain pending in the Application. Reconsideration, examination and allowance of all pending claims are respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 1-3, 5-8, 10-12, 14-19, 21-23, 25-31 and 33-34 under 35 U.S.C. §103(a) as being unpatentable over Safarevich (U.S. Patent No. 6,061,595) in view of either Schwemmer et al. (JP 2001-229985) or Swarts et al. (U.S. Patent No. 4,714,815).

As noted by the Examiner, Safarevich pertains to methods of making medical devices in which laser welding is used to join individual elements. The Examiner acknowledges that Safarevich discloses melting both workpieces, but relies upon either Schwemmer et al. or Swarts to suggest that it would be obvious to only melt one of the two elements being joined. The secondary references do not remedy the admitted shortcoming of the primary reference.

Applicants have reviewed U.S. Patent No. 6,351,676, which appears to be the U.S. equivalent of JP 2001-229985. A review of this patent, which has not been provided because the Examiner presumably has electronic access to it, reveals that at least part of the high melting point material is in fact melted. See, for example, column 2, lines 52-58 of U.S. Patent No. 6,351,676. Clearly, this reference does not remedy the admitted shortcoming of Safarevich.

Swarts et al., which is the other secondary reference, is directed to forming a hot-wire angular rate sensor. In making an angular rate sensor, one or more tungsten wires are welded onto a post that is typically made of KOVAR. The post does appear to have a melting point that is below that of the tungsten wire. It appears that a portion of the post is melted (without directly heating the tungsten wire) such that the tungsten wire may become at least partially embedded in the molten post material.

However, it is noted that the claimed invention is directed to methods of forming medical devices in which a structural member is disposed proximate an elongate shaft (or core wire), and is melted such that a portion of the structural member flows around the elongate

shaft and subsequently cools, forming a joint between the elongate shaft and the structural member. Swarts et al. do not describe or suggest any method for forming a medical device.

One of skill in the art, looking for improved methods of forming medical devices, would not look towards a reference directed to making a hot-wire angular rate sensor for guidance. Indeed, Applicants do not even believe that Swarts et al. represent analogous art. Again, there is no description or suggestion within Swarts et al. pertaining to the claimed methods for forming medical devices. Swarts et al. cannot be considered as remedying the admitted shortcomings of Safarevich. Favorable reconsideration is respectfully requested.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, and issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By their Attorney,

Date: \_\_\_\_\_

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